

10 June 2026

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Terms of Reference

Working Group on Data Collection within the Committee of the Parties to the Convention against Trafficking in Human Organs

1. Duration

Terms of reference are valid from its adoption until December 2027.

2. Mandate and Main tasks

Having regard to:

- Article 25.2, 25.3 THO Convention;
- Article 20 Rules of Procedure of the Santiago de Compostela Committee;
- agreement by the THO Bureau (in July 2025);

The Committee of the Parties decides to establish a Working Group on Data Collection (WG DC).

The Working Group will:

- explore the feasibility and modalities of systematic data collection on trafficking in human organs among States Parties;
- discuss and assess the potential establishment of a new data-sharing network, taking into account existing data-sharing networks such as NETTA, as well as challenges related to data-sharing, overlaps, and data protection standards (in particular, the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS 108) and Convention 108+));
- define the type, scope and purpose of the data to be collected by the Committee of the Parties to improve evidence-based actions and policy-making;
- propose guidelines or recommendations for the implementation of effective, secure and coordinated data collection and sharing mechanisms among States Parties.

3. Expected results

The core deliverable shall be a comprehensive final report with actionable recommendations, to be finalised and submitted for adoption by the Committee of the Parties by 31 December 2027.

A report, including practical recommendations, is prepared and finalised by the Working Group by

the end of 2027(at the latest). This report should:

- identify the categories of data to be collected, justified by the needs of the Committee of the Parties;
- provide a risk assessment assessing the advantages, limitations and risks (including data privacy aspects) related to data collection and sharing;
- set out possible coordination or integration with existing networks such as NETTA, and highlight any risks of duplication or inefficiency;
- present options for the creation of a new data-sharing network if deemed necessary, with clearly outlined requirements, governance and safeguards;
- provide a draft framework for operationalising data collection and sharing among States Parties and, where relevant, observers and partners.

This report should then be submitted to the Committee of the Parties for adoption.

4. Working methods

The Working Group meetings will be held in closed sessions (Article 12 Rules of Procedure).

The Working Group will determine the appropriate number of meetings to be considered for attaining its results effectively. However, a meeting every quarter (if feasible) should be proposed to make sure that the work is implemented accordingly.

The Working Group may consult external experts or relevant networks as needed.

Whenever appropriate, the Working Group may make use of working methods that are environmentally sound and protective of the health of participants, such as virtual meetings facilitated by information technology and written procedures. The THO Rules of Procedure will apply *mutatis mutandis* to decision-making and meetings by electronic means and written procedures within that Working Group.

The Working Group will report and meet back-to-back with the THO Bureau and the Plenary meeting.

5. Composition of the Working Group

The Working Group will consist of representatives of State Parties as appointed by the national representative to the CoP THO

The THO Committee of the Parties shall elect up to 7 representatives, taking into account expertise, geographical distribution, gender balance, and diversity of legal systems. If any physical meeting is considered, the travel and subsistence expenses of one member per Party will be borne by the Council of Europe in accordance with the rules adopted by the Committee of Ministers and within the limits of budgetary appropriations.

The Working Group will be chaired by a Chair who will be the rapporteur of the report and in his/her absence by a Vice-Chair.

Participants and observers included in the Rules of Procedure of the THO Committee may appoint (a) representative(s) without the right to vote and without defrayal of expenses. Other CoE bodies may appoint (a) representative(s) without the right to vote and without defrayal of expenses.

Individual experts may be invited to participate in meetings of the Working Group as needed.